

ORDINANCE

2022-05-19-0353

APPROVING AN AMENDMENT INCREASING THE AGREEMENT CAPACITY IN THE AMOUNT OF \$700,000.00 OF THE ON-CALL ARCHITECTURAL SERVICES AGREEMENT WITH BEATY PALMER ARCHITECTS FOR ADDITIONAL ARCHITECTURAL DESIGN SERVICES FOR THE TOWER OF AMERICA'S STRUCTURAL IMPROVEMENTS. FUNDS ARE AVAILABLE FROM THE GENERAL FUND INCLUDED IN THE FY 2022 - FY 2027 CAPITAL IMPROVEMENT PROGRAM.

* * * * *

WHEREAS, as part of the Adopted FY 2021 Capital Budget funds in the amount of \$1,934,400.00 and an additional \$3,500,000.00 were approved by City Council as part of the Adopted FY 2022 Capital Budget for total funding of \$5,434,400.00 for the renovation improvements of the Towers of Americas facility, with a portion of these funds used to begin the design of the most critical renovations associated with Towers of Americas; and

WHEREAS, the project consists of managing, designing, and constructing renovations to the existing mechanical, electrical, plumbing and fire safety support systems, also included are enhancements and renovations to vertical concrete shaft and steel components serving to preserve the structural integrity of the building, the modernization of the elevator system and roof repairs to the top house and base lobby areas; and

WHEREAS, construction of the recommended improvements will be phased into three tiers of scope based on the necessity of the repairs according to the maximum lifespan of systems; and

WHEREAS, on September 17, 2020, City Council approved through Ordinance 2020-09-17-0666, an On-Call Architectural Services Agreement in the amount of \$400,000.00 with Beaty Palmer Architects to provide as needed architectural services related to vertical construction projects city wide, the contract capacity amount for this contract is \$400,000.00 annually, the City has exercised its option under the original agreement to extend the original agreement by a second year, and increased the agreement amount not to exceed \$800,000.00 of which \$100,000.00 is currently available; and

WHEREAS, an amendment increasing the capacity of the agreement with Beaty Palmer Architects in the amount of \$700,000.00 for a revised maximum agreement capacity of \$1,500,000.00 is necessary to proceed with the design completion and construction management services of the Tower of Americas Building Renovation project; and

WHEREAS, this amendment will provide for additional design work by the Beaty Palmer Architects to complete the remaining scope of work for renovating and improving the infrastructure and safety systems for the Tower of Americas with Beaty Palmer Architects providing construction documents, bidding, construction administration, and any associated services required for the additional repairs and improvements to the project scope; and

WHEREAS, construction is anticipated to begin in April 2023 and is estimated to be completed by October 2024; and

2020-01-20-SSOS
WHEREAS, this ordinance to approves an amendment increasing the agreement capacity in the amount of \$700,000.00 of the On-Call Architectural Services Agreement with Beaty Palmer Architects for additional architectural design services for the Tower of America's Structural Improvements; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or designee is authorized to execute an amendment in an increased amount not to exceed \$700,000.00 to the On-Call Architectural Services Agreement for the additional architectural design services for the Tower of America's Structural Improvements with Beaty Palmer Architects. Attached hereto as **Attachment I**. Funds are available from the General Fund included in the FY 2022 - FY 2027 Capital Improvement Program.

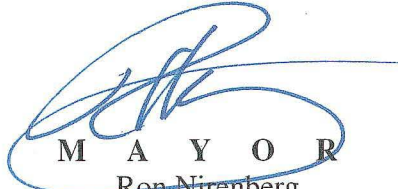
SECTION 2. Funding for this Ordinance will be identified when work orders are issued. If funding for any work orders is not previously appropriated, funding will be identified and appropriated through subsequent City Council action. Payment is limited to the amounts budgeted in the Operating, Grants, and/or Capital Budget funding sources identified. All expenditures will comply with Operating, Grants; and/or Capital Budgets for current and future fiscal years.

SECTION 3. Payment not to exceed \$700,000.00 is authorized to be encumbered with purchase orders and made payable to Beaty Palmer Architects for on-call architectural services.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.


PASSED and APPROVED this 19th day of May, 2022.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting May 19, 2022

12.

2022-05-19-0353

Ordinance amending the OnCall Architectural Services Agreement capacity with Beaty Palmer Architects in the increased amount not to exceed \$700,000.00 for a total revised amount of \$1,500,000.00 for additional architectural design services for the Tower of America's Structural Improvements. Funds are available from the General Fund included in the FY 2022 FY 2027 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Viagran seconded the motion. The motion by the following vote:

Aye: Nirenberg, Bravo, McKeeRodriguez, Viagran, Castillo, Sandoval, Pelaez, Courage

Absent: Rocha Garcia, Cabello Havrda, Perry

ATTACHMENT I

Amendment to On-Call Architectural Services Agreement Tower of America's Structural Improvements

**FIRST AMENDMENT
TO
PROFESSIONAL SERVICES AGREEMENT
FOR ON-CALL ARCHITECTURAL SERVICES**

This amendment to the Professional Services Agreement for **On-Call Architectural Services** is entered into by and between the **City of San Antonio ("City")**, a home rule municipal corporation, and **Beaty Palmer Architects, Inc. ("Consultant")**, referred to collectively herein as the "Parties".

WHEREAS, on **September 17, 2020**, through Ordinance No. **2020-09-17-0666** City Council approved a professional services agreement in an amount not to exceed \$400,000.00, authorized payable to **Beaty Palmer Architects, Inc.**, to provide as needed architectural design services, with the option to extend the term and increase the not to exceed amount to \$800,000.00; and

WHEREAS, there have been no previous amendments to this contract; and

WHEREAS, the proposed amendment for additional construction services will increase the contract by \$700,000.00 to a total amount of \$1,500,000.00; and

WHEREAS, it is necessary to amend the Original Agreement to provide for additional Architectural Services for the COSA Tower of the Americas Improvements – Phase 2 project; and

WHEREAS, this amendment increases the total contract capacity by an amount not to exceed **\$700,000.00** to provide for the cost of the additional services for total contract amount of **\$1,500,000.00**; and

NOW THEREFORE, in consideration of the terms, covenants, agreements and demises herein contained each to the other given, the sufficiency and receipt of which are hereby acknowledged, the Original Agreement, as previously amended, is amended as follows:

1. ARTICLE II. COMPENSATION

II.1 The Compensation for all services included in this amendment **SHALL NOT EXCEED SEVEN HUNDRED THOUSAND AND NO/100 DOLLARS (\$700,000.00)**.

- 2. Exhibit 1 - Fee Summary**. The not-to-exceed contract amount set out in Exhibit 1 – Fee Summary of the Original Agreement is hereby increased by **SEVEN HUNDRED THOUSAND AND NO/100 DOLLARS (\$700,000.00)** for a total not-to-exceed contract amount of **ONE MILLION AND FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00)**.

Except as amended hereby, all other provisions of the Agreement are hereby retained in their entirety and remain unchanged.

EXECUTED and **AGREED** to as of the dates indicated below.

CITY OF SAN ANTONIO

Beaty Palmer Architects, Inc.

(Signature)

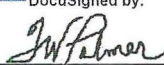
Razi Hosseini

Director,

Public Works Department

Date: _____

DocuSigned by:


(Signature)
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Printed Name: Terry Palmer

Title: president

Date: 5/5/2022

Approved as to Form:

Assistant City Attorney